

JS 44C/SDNY
REV. 12/2005

CIVIL COVER SHEET

00-863

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS	Teachers' Retirement System of Okla., Public Employees' Retirement System of Mississippi, Raiffeisen Kapitalanlage-Gesellschaft m.b.H., Stichting Pensioenfonds ABP	DEFENDANTS	Delphi Corporation
ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER) (see attached)	ATTORNEYS (IF KNOWN) (see attached)		

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)

28 U.S.C. 158 Appeal of bankruptcy court order granting Debtors' application to retain Deloitte & Touche LLP as independent auditors and accountants under 11 U.S.C. 327 and 328

Has this or a similar case been previously filed in SDNY at any time? No Yes? Judge Previously Assigned

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

(PLACE AN (X) IN ONE BOX ONLY)

NATURE OF SUIT

05-44481 (RDD) #1859

ACTIONS UNDER STATUTES

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
	PERSONAL INJURY	PERSONAL INJURY		
[] 110 INSURANCE	[] 310 AIRPLANE	[] 362 PERSONAL INJURY - MED MALPRACTICE	[] 610 AGRICULTURE	[] 422 APPEAL
[] 120 MARINE	[] 315 AIRPLANE PRODUCT LIABILITY	[] 385 PERSONAL INJURY PRODUCT LIABILITY	[] 620 FOOD & DRUG	28 USC 158
[] 130 MILLER ACT	[] 320 ASSAULT, LIBEL & SLANDER	[] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	[] 625 DRUG RELATED SEIZURE OF PROPERTY	[] 423 WITHDRAWAL
[] 140 NEGOTIABLE INSTRUMENT	[] 330 FEDERAL EMPLOYERS' LIABILITY	[] 630 LIQUOR LAWS	21 USC 881	28 USC 157
[] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[] 340 MARINE LIABILITY	[] 640 RR & TRUCK INJURY PRODCT LIABILITY	PROPERTY RIGHTS	[] 460 DEPORTATION
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT LIABILITY	[] 650 AIRLINE REGS	[] 642 COPYRIGHTS	[] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
[] 152 RECOVERY OF DEFULTED STUDENT LOANS (EXCL VETERANS)	[] 350 MOTOR VEHICLE	[] 660 OCCUPATIONAL SAFETY/HEALTH	[] 630 PATENT	[] 480 CONSUMER CREDIT
[] 153 RECOVERY OF OVERPAYMENT OF VETERANS BENEFITS	[] 355 MOTOR VEHICLE PRODUCT LIABILITY	[] 680 OTHER	[] 640 TRADEMARK	[] 490 CABLE/SATELLITE TV
[] 180 STOCKHOLDERS SUITS	[] 380 OTHER PERSONAL INJURY		SOCIAL SECURITY	[] 810 SELECTIVE SERVICE
[] 190 OTHER CONTRACT				[] 850 SECURITIES/ COMMODITIES/ EXCHANGE
[] 195 CONTRACT PRODUCT LIABILITY				[] 875 CUSTOMER CHALLENGE
[] 196 FRANCHISE				12 USC 3410
	ACTIONS UNDER STATUTES			[] 891 AGRICULTURE ACTS
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS		[] 892 ECONOMIC STABILIZATION ACT
[] 210 LAND CONDEMNATION	[] 441 VOTING	[] 510 MOTIONS TO VACATE SENTENCE	[] 740 RAILWAY LABOR ACT	[] 893 ENVIRONMENTAL MATTERS
[] 220 FORECLOSURE	[] 442 EMPLOYMENT	28 USC 2255	[] 790 OTHER LABOR	[] 894 ENERGY ALLOCATION ACT
[] 230 RENT LEASE & EJECTMENT	[] 443 HOUSING ACCOMMODATIONS	[] 530 HABEAS CORPUS	[] 791 LITIGATION	[] 895 FREEDOM OF INFORMATION ACT
[] 240 TORTS TO LAND	[] 444 WELFARE	[] 535 DEATH PENALTY	[] 870 TAXES	[] 900 APPEAL OF FEE DETERMINATION
[] 246 TORT PRODUCT LIABILITY	[] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[] 540 MANDAMUS & OTHER CIVIL RIGHTS	[] 871 IRS-THIRD PARTY SECURITY ACT	UNDER EQUAL ACCESS TO JUSTICE
[] 290 ALL OTHER REAL PROPERTY	[] 446 AMERICANS WITH DISABILITIES - OTHER	[] 550 PRISON CONDITION	20 USC 7609	[] 950 CONSTITUTIONALITY OF STATE STATUTES
	[] 440 OTHER CIVIL RIGHTS			[] 890 OTHER STATUTORY ACTIONS

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(PLACE AN X IN ONE BOX ONLY)

ORIGIN

- 1 Original Proceeding 2a. Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from (Specify District) 6 Multidistrict Litigation 7 Appeal to District Judge from Magistrate Judge Judgment
 2b. Removed from State Court
AND at least one party is a pro se litigant

(PLACE AN X IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE
CITIZENSHIP BELOW.
(28 USC 1332, 1441)

- 1 U.S. PLAINTIFF 2 U.S. DEFENDANT 3 FEDERAL QUESTION (U.S. NOT A PARTY) 4 DIVERSITY

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF <input type="checkbox"/> <input checked="" type="checkbox"/> DEF	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF <input type="checkbox"/> <input checked="" type="checkbox"/> DEF	INCORPORATED AND PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF <input type="checkbox"/> <input checked="" type="checkbox"/> DEF
CITIZEN OF ANOTHER STATE	<input type="checkbox"/> <input checked="" type="checkbox"/> PTF	INCORPORATED OR PRINCIPAL PLACE OF BUSINESS IN THIS STATE	<input type="checkbox"/> <input checked="" type="checkbox"/> DEF	FOREIGN NATION	<input type="checkbox"/> <input checked="" type="checkbox"/> PTF

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS FOLEY SQUARE
(DO NOT check either box if this a PRISONER PETITION.)

DATE 01/26/06 SIGNATURE OF ATTORNEY OF RECORD
RECEIPT # 3557321

ADMITTED TO PRACTICE IN THIS DISTRICT
 NO
 YES (DATE ADMITTED Mo. 09 Yr. 1986,
Attorney Bar Code # IL9958

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

J Michael McMahon, Clerk of Court by _____ Deputy Clerk, DATED _____

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

EXHIBIT A

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